

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

**UNITED STATES OF AMERICA and  
PEOPLE OF THE VIRGIN ISLANDS**

**v.**

**JAMES E. CLARKE,**

Defendant.

**INDICTMENT**

Criminal No. 2011 - 04

18 U.S.C. § 922(q)  
(Possession of a Firearm in a  
School Zone)

14 V.I.C. § 2253 (a)  
(Carrying of Firearms)

THE GRAND JURY CHARGES THAT:

**COUNT ONE**

On or about January 5, 2011, at St. Thomas, in the District of the Virgin Islands, the  
defendant,

**JAMES E. CLARKE,**

did knowingly possess a firearm, that is, a Ruger P95 9mm automatic pistol, Serial # 314-90135,  
that moved in interstate commerce, within a distance of 1000 feet of the grounds of the Ulla Muller  
Elementary School, a place that the defendant knew and had reason to believe was a school zone.

In violation of Title 18, United States Code, Sections 922(q)(2)(A) and 924(a)(4).

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CLERK OF COURT

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THE GRAND JURY FURTHER CHARGES THAT:

**COUNT TWO**

On or about January 5, 2011, at St. Thomas, in the District of the Virgin Islands, the defendant,

**JAMES E. CLARK,**

did without authority of law, possess a concealed firearm, that is, a Ruger P95 9mm automatic pistol, with a serial number of 314-90135.

In violation of Title 14, Virgin Islands Code, Section 2253(a).

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**FORFEITURE ALLEGATIONS**

Upon conviction of the offense alleged in Count One of this ~~Information~~, defendant,

**JAMES E. CLARKE,**

shall forfeit to the United States pursuant to 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of the offenses, including but not limited to the following:

**FIREARM OR AMMUNITION**

Ruger P95 9mm automatic pistol, with a serial number of 314-90135.

24 Rounds of 9mm ammunition

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p) as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

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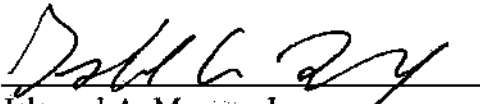
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USAO NUMBER 2011R00012

The Grand Jury returned a TRUE BILL.

RONALD W. SHARPE

UNITED STATES ATTORNEY

By: 

Ishmael A. Meyers, Jr.

Assistant United States Attorney

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U.S. DISTRICT COURT  
DISTRICT OF THE VIRGIN ISLANDS

DISTRICT OF THE VIRGIN ISLANDS: February 3, 2011

Returned into the District Court by Grand Jurors and filed.

  
UNITED STATES MAGISTRATE JUDGE

WILFREDO R. MORALES

Clerk of the Court

By: 

Deputy Clerk